

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF OHIO**

**IN RE:** :

**WILLIAM LUKE ECKARD** :

**VICKI LYNN ECKARD** :

**DEBTOR(S)** :

\*\*\*\*\* ORDER CONFIRMING PLAN \*\*\*\*\*

The Chapter 13 AMENDED plan in this case filed as attached came on for confirmation at a hearing before the Court. Based upon the papers filed in this case, information presented by the Standing Chapter 13 Trustee (the "Trustee") and such other matters, if any, presented by the debtor (or debtors in a joint case) (the "Debtor"), Debtor's counsel, any objections or any other interested party, the Court finds that:

1. Notice of the confirmation hearing was duly given.
2. The Plan complies with applicable provisions of Title 11 of the United States Code (the "Bankruptcy Code").

**IT IS THEREFORE ORDERED THAT:**

1. The Plan is confirmed in all respects not contrary to prior or subsequent orders of the Court.
2. The Debtor shall not incur additional debt exceeding \$500.00 in the aggregate without notice to the Trustee and the approval of the Court.
3. The Debtor shall not transfer any interest in real property without the Court's approval.
4. All property of the estate scheduled in accordance with Bankruptcy Rule 1007(h), vest in the debtor(s) pursuant to 11 USC Section 1327(b). All property of the estate that is not properly scheduled or any property that is acquired subsequent to the filing of the petition does not vest to the debtor(s) and remains property of the estate unless Court ordered.
5. The attorney for the Debtor is allowed a total fee of **\$1,500.00** of which **\$0.00** has been paid. The balance will be paid pursuant to the Court's administrative order regarding Attorney fees.

/s/ Russ Kendig  
United States Bankruptcy Judge

**APPROVED:**

Toby L. Rosen  
Toby L. Rosen, Chapter 13 Trustee

**Service List**

WILLIAM LUKE and VICKI LYNN ECKARD  
3531 DAPPLEGRAY ST  
CANTON, OH 44709

MILLER & HORN BROOK  
1400 MARKET AVE N  
CANTON, OH 44714

FIRSTMERIT MORTGAGE CORP  
C/O AMY M BLYTHE, ESQ  
24755 CHAGRIN BLVD, STE 200  
CLEVELAND, OH 44122-5690

2008 Nov 14 PM 01:58

☒

**In re:**

## Judge Russ Kendig

Case No. 08-62626

**Debtor(s)**

## Chapter 13 Form Plan Summary

# First Amended Chapter 13 Plan

1. SPECIAL PROVISIONS:

☐ Continued on attached separate page(s).

2. 13 % to general unsecured creditors (E9)

3. ~~Assumed unexpired leases and executory contracts (BI)~~

# Creditor

Description of asset or contract

☐ Continued on attached separate page(s).

**All other leases and executory contracts deemed rejected.**

4. Mortgages or Judgment Liens - Ongoing Monthly Payment ( C, E3, E6)

<u>Creditor</u>	<u>Order of Priority</u>	<u>Property Address</u>	<u>Proposed Pymt/Mo.</u>	<u>To be paid by debtor, by trustee or stripped &amp; not secured</u>
Firstmerit	1st	3531 Dapplegray St	\$1,100.00	Paid by debtor
Firstmerit	2nd	3531 Dapplegray St	\$125.00	Stripped AND not secured ✓
	3rd			

☐ Continued on attached separate page(s).

5. Mortgage Arrears (E4)

<u>Creditor</u>	<u>Estimated Amount</u>	<u>Rate (%)</u>
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☐ Continued on attached separate page(s).

**Creditors who do not agree to rate of interest must object to confirmation or the rate in this paragraph is deemed to be absolute on confirmation. The amount of arrearage is subject to contrary proof of claim.**

6. Secured Non-Mortgage claims to be paid full current balance (ES)

Creditor: Polaris

Date Incurred: 2003

Collateral: 2003 Polaris Sportsma

Monthly Payment: \$50.00

Interest Rate: 6.50

Estimated Balance: \$1,600.00

☐ Continued on attached separate page(s).

7. Liens to be crammed down but not stripped: (E7)

Creditor: \_\_\_\_\_

Date Incurred: \_\_\_\_\_

Collateral: \_\_\_\_\_

Monthly Payment: \_\_\_\_\_

Interest Rate: \_\_\_\_\_

Secured Value: \_\_\_\_\_

☐ Continued on attached separate page(s).

**Creditors who do not agree to date incurred, collateral description, monthly payment, interest rate or secured value must object to confirmation or the treatment in this paragraph is deemed to be absolute upon confirmation, except statutory tax liens, which will be paid as allowed.**

8. Priority Claims to be paid in full and estimated as follows (E8)

Creditor

Source & Year

Amount

☐ Continued on attached separate page(s).

9. Payments to Trustee (D)

The debtor will pay to the trustee \$ 300.00 monthly for a minimum of 36 months, or all future disposable income, whichever is greater. Payments shall be by

☒ Wage Order on employer ☐ By Debtor ("Private Pay") in the form of money order or certified check.

10. **Attorney Fees are pursuant to the current Administrative Order. Any deviation is in Special Provisions. (E)**

/s/ William Luke Eckard

Debtor's Signature - Name typed below

/s/ William Luke Eckard

/a/ Vicki Lynn Eckard

Debtor's Signature - Name typed below

/s/ Vicki Lynn Eckard

/s/ John H. Hornbrook

Attorney's Signature - Name (state bar #), address, and phone typed below

/s/ John H. Hornbrook #0019917

1400 N. Market Avenue

Canton, Ohio 44714

(330) 456-0091